



Docket No.: 1046.1319

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Yoshifumi SANUKI et al.

Application No.: 10/804,172

Group Art Unit: 2661

Filed: March 19, 2004

Examiner: To be Assigned

For: IDENTIFIER ASSIGNMENT SYSTEM, METHOD, AND PROGRAM

**PETITION UNDER 37 CFR § 1.47(A)**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

**INTRODUCTION**

A Notice to File Missing Parts of Application issued June 1, 2004, setting a response due date of August 1, 2004, for which an appropriate extension of time is being obtained concurrently herewith.

Notwithstanding efforts by the Assignee, Fujitsu Limited, as discussed below, it has not been possible to obtain the co-inventor's, Mr. Junichi Kubota's, signature on the Declaration/Power of Attorney. Accordingly, Fujitsu Limited petitions herein for the U.S. Patent and Trademark Office to accept this application without this co-inventor's signature, and to move the application to examination.

**PETITION PARTS**

As parts of this Petition, there is provided:

A. An oath/declaration signed by the remaining two co-inventors, on behalf of all three co-inventors, pursuant to the MPEP § 409.03(a).

B. Proof that the Inventor cannot be reached after diligent effort: As noted in the Facts below, several registered letters were sent by Fujitsu Limited, to Mr. Kubota without response.

C. Last Known Address of Inventor: Mr. Junichi Kubota's last known address at the time of leaving Fujitsu Limited is:

3-5-22-201, Masugata  
Tama-ku  
Kawasaki-shi, Kanagawa  
214-0032 Japan

### FACTS

The following registered letters, copies attached with English translations, have been sent to Mr. Kubota in an effort to obtain his signature on the Declaration/Power of Attorney.

Exhibit 1. A Japanese language letter dated September 6, 2004 from Mr. Morimoto, Patent Administration Department, Fujitsu Limited, to Mr. Kubota at his last known address, requesting that Mr. Kubota sign a Declaration/Power of Attorney and an Assignment attached thereto. A Japanese postal receipt showing successful delivery on September 14, 2004, and an English language translation of the postal receipt, are also enclosed. Mr. Kubota, however, did not respond to the received letter.

Exhibit 2. A Japanese language letter dated November 16, 2004, from Mr. Morimoto, Patent Administration Department, Fujitsu Limited, to Mr. Kubota at his last known address. An English translation of the letter is also enclosed. A Japanese postal receipt showing attempted but unsuccessful delivery of the letter on November 17, 2004 and November 25, 2004, and an English language translation of the postal receipt, are also enclosed. Ultimately, the letter was returned to Fujitsu on November 29, 2004.

Exhibit 3. On December 3, 2004, Mr. Morimoto sent another letter to Mr. Kubota at the same address, copy with English translation attached. This letter was also returned to Fujitsu on December 14, 2004, as shown by the attached postal records.

It is respectfully submitted that the above facts show Fujitsu Limited has made diligent efforts to obtain Mr. Kubota's signature on the Declaration/Power of Attorney. However, Mr. Kubota has been unresponsive to the requests from Fujitsu Limited.

The grant of this Petition will prevent irreparable harm to Fujitsu Limited.

CONCLUSION

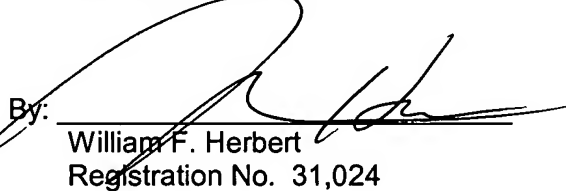
It is respectfully requested that this Petition be granted to allow the application be made by Fujitsu Limited on behalf of the unavailable co-inventor, Mr. Junichi Kubota.

The \$200 fee for this Petition is also enclosed. If any further fees are required, please charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 12/22/04

By:   
William F. Herbert  
Registration No. 31,024

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

**FUJITSU LIMITED**  
**PATENT DIVISION**

1-1, Kamikodanaka 4-chome, Nakahatara-ku, Kawasaki-shi, Kanagawa 211-8588 Japan  
Telephone: +81-44-754-3034 Facsimile: +81-44-754-3563

**FUJITSU**

December 3, 2004

November 16, 2004

September 6, 2004



Tomoyuki Morimoto, Section Manager  
Patent Administration Department  
FUJITSU LIMITED

Dear Mr. Junichi KUBOTA:

We would like to inform you that we have recently filed an application with the US Patent and Trademark Office based on a Japanese Patent Application No. 2003-208295 "Identifier Assignment System, Method, and Program" (filed August 21, 2003), which concerns the invention you co-invented with Mr. Yoshifumi SANUKI and Mr. Shushi TAKIYAMA while you worked for FUJITSU LIMITED.

Accordingly, we would like to ask you to carefully read the new U.S. patent application documents, copy enclosed, and sign the enclosed *Declaration and Power of Attorney for Patent Application and Assignment*. Please also enter the date that they are signed. The *Declaration and Power of Attorney for Patent Application and Assignment* are necessary for filing the present application, so please return them to us by September 21, 2004, using the enclosed envelope addressed to the personnel mentioned below who is in charge of this matter.

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Sincerely yours,

**Footnote:**

***Assignment***

This invention is invented by our employees. We previously acquired Assignment from all the inventors at the time of filing the prior Japanese application. The enclosed Assignment is for the U.S. application.

**Enclosures:**

1. Declaration and Power of Attorney for Patent Application
2. Assignment
3. Copy of the U.S. patent application documents as filed

Ms. Sugiura  
Foreign Application Group Personnel  
Mail: [t.sugiura@lip.fujitsu.com](mailto:t.sugiura@lip.fujitsu.com)

→ Urgent! The statutory period will shortly expire.

2004/12/14 16:13



検索した番号は 143-04-58109-3(一般書留)です

状態 発生日	郵便局名	状態	備考	郵便番号	県名等
9月6日	川崎上小田中	引受		211-0053	神奈川
9月6日	中原	発送		211-8799	神奈川
9月7日	登戸	到着		214-8799	神奈川
9月7日	登戸	ご不在のために持戻り		214-8799	神奈川
9月14日 19:26	登戸	窓口でお渡し		214-8799	神奈川

TOP 郵便局を調べる

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書留

EX110特郵便

EMS

## 書留・配達記録郵便物受領証(お客様控)

(差出人の住所氏名) 川崎市中中原区上小田中4-1-1 富士通株式会社 特許管理部					様
受取人の氏名	引受番号	郵便料	申出損害要償額	配達証明	
窪田 純一 様	143-04 58109-3	960	/		
様					
様					

ご注意 この受領証は、損害賠償の請求をするときその他、  
 の場合に必要です。大切に保存してください。  
 簡易書留の損害賠償額は、原則として5万円を限  
 度とする災損額です。  
 摘要欄：カン(簡易)、キロ(配達記録)、ソク(速達)、ハイ(配達証明)  
 の記号 ナイ(内容証明)、トク(特別送達)、ダイ(代金引換)  
 ジリ(受時刻証明)、シテ(配達日指定)  
 配達状況がわかります。フリーダイヤル 0120-232886  
 インターネット <http://www.post.japanpost.jp>

郵便局

**Tracking Result of No. 143-04-58109-3 (Registered Mail)**

Date	Post Office	Status	Note	Postal Code	Place
September 6	Kawasaki, Kamiodanaka	Acceptance		211-0053	Kanagawa
September 6	Nakahara	Dispatch		211-8799	Kanagawa
September 7	Noborito	Arrival		214-8799	Kanagawa
September 7	Noborito	Absence		214-8799	Kanagawa
September 14 19:26	Noborito	Delivered at a Reception Office		214-8799	Kanagawa

**Receipt of Registered and Delivery-Certified Mail (Sender's Copy)**

(Sender's Name & Address) 1-1, Kamikodanaka 4-chome, Nakahara-ku, Kawasaki-shi Mr. Tomoyuki Morimoto Patent Administration Department FUJITSU LIMITED				
Recipient's Name	Acceptance No.	Postal Charge	Requested Amount of Compensation for Damage	Others
Mr. Junichi Kubota	143-04-58109-3	960 yen	---	Document

Kawasaki, Kamiodanaka  
 Post Office  
 September 6, 2004

**FUJITSU LIMITED**  
**PATENT DIVISION**

1-1, Kamikodanaka 4-chome, Nakahatara-ku, Kawasaki-shi, Kanagawa 211-8588 Japan  
Telephone: +81-44-754-3034 Facsimile: +81-44-754-3563

**FUJITSU**

December 3, 2004

November 16, 2004

September 6, 2004

Tomoyuki Morimoto, Section Manager  
Patent Administration Department  
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1. Declaration and Power of Attorney for Patent Application
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Ms. Sugiura  
Foreign Application Group Personnel  
Mail: [t.sugiura@lip.fujitsu.com](mailto:t.sugiura@lip.fujitsu.com)

→ Urgent! The statutory period will shortly expire.

2004/12/01 15:34



検索した番号は 143-04-58466-3(一般書留)です

状態 発生日	郵便局名	状態	備考	郵便番号	県名等
11月16日	川崎上小田中	引受		211-0053	神奈川
11月16日	中原	発送		211-8799	神奈川
11月17日	登戸	到着		214-8799	神奈川
11月17日	登戸	ご不在のために持戻り		214-8799	神奈川
11月25日	登戸	再配達受付		214-8799	神奈川
11月25日	登戸	差出人に返送	保管期限切れのため	214-8799	神奈川
11月26日	登戸	発送		214-8799	神奈川
11月26日	中原	到着		211-8799	神奈川
11月29日 9:00	中原	差出人に返送済		211-8799	神奈川

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## 書留・配達記録郵便物受領証(お客様控)

(差出人の住所氏名) 川崎市中原区上小田中4-1-1 富士通(株) 特許管理部 森本 様				
受取人の氏名	引受番号	郵便料	申出損害要償額	摘要
窪田 純一 様	143-04-58466-3	¥960		配達証明 書類
様				
様				

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 摘要欄：カン(簡易)、キロ(配達記録)、ソク(速達)、ハイ(配達証明)  
 の記号 ナイ(内容証明)、トク(特別送達)、ダイ(代金引換)  
 ジ(引受時刻証明)、シテ(配達日指定)  
 配達状況がわかります。フリーダイヤル 0120-232886  
 インターネット <http://www.post.japanpost.jp>

16.11.16\*12-18 郵便局



**Tracking Result of No.143-04-58466-3 (Registered Mail)**

Date	Post Office	Status	Note	Postal Code	Place
November 16	Kawasaki, Kamiodanaka	Acceptance		211-0053	Kanagawa
November 16	Nakahara	Dispatch		211-8799	Kanagawa
November 17	Noborito	Arrival		214-8799	Kanagawa
November 17	Noborito	Absence		214-8799	Kanagawa
November 25	Noborito	Re-dispatch		214-8799	Kanagawa
November 25	Noborito	Return to the Sender	The End of keeping period	214-8799	Kanagawa
November 26	Noborito	Dispatch		214-8799	Kanagawa
November 26	Nakahara	Arrival		211-8799	Kanagawa
November 29 9:00	Nakahara	Returned to the Sender		211-8799	

**Receipt of Registered and Delivery-Certified Mail (Sender's Copy)**

(Sender's Name & Address) 1-1, Kamikodanaka 4-chome, Nakahara-ku, Kawasaki-shi Mr. Tomoyuki Morimoto Patent Administration Department FUJITSU LIMITED				
Recipient's Name	Acceptance No.	Postal Charge	Requested Amount of Compensation for Damage	Others
Mr. Junichi Kubota	143-04-58466-3	960 yen	---	Document

Kawasaki, Kamiodanaka  
 Post Office  
 November 16, 2004

(送出人の住所氏名) 川崎市中原区上小田中4-1-1 富士通(株) 特許管理部 森本 様				
受取人の氏名	引受番号	郵便料	申出損害賠償額	摘要
窪田 純一 様	143-04-58466-3	¥960	配達証明	額
様			達	
様			証	

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 商品等が破損した場合は、原封として5万円を限度とする賠償額です。  
 領受印: カン(開封)、ヤロ(配達記録)、ソク(速達)、ハイ(配達証明)の記号  
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 インターネット <http://www.post.japanpost.jp>

明 16.11.16\*12-18 郵便用

川崎市多摩区新形3-5

エミネット向ヶ丘201

窪田 純一 様

A Copy of Returned Mail

FUJITSU

富士通株式会社 川崎工場  
 〒211-8588 川崎市中原区上小田中4-1-1  
 jp.fujitsu.com



14304584663

■ 16 年 11 月 16 日  
 ■ 特許管理部 森本  
 ■ (044)754-3035

郵便物お

\*お知らせ番号\*

13-1230



配達日時 11月17日

保管期限 11月24日



達証明

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<b>Stamp</b> 960 yen November 16, 2004	<div data-bbox="152 625 927 730">           214-0032            3-5-22-201, Masugata, Tama-ku, Kawasaki-shi, Kanagawa            Mr. Junichi Kubota         </div> <div data-bbox="152 1108 922 1220"> <b>FUJITSU LIMITED</b>            211-8588            1-1, Kamikodanaka 4-chome, Nakahara-ku, Kawasaki-shi         </div>	The period for keeping this mail has expired. The mail is returned to the sender, because of the absence of the recipient.  214-8799 Noborito Post Office
143-04-58466-3		Noborito, November 25, 2004
November 16, 2004 Patent Administration Department Mr. Morimoto (044)754-3034		

**FUJITSU LIMITED**  
**PATENT DIVISION**

1-1, Kamikodanaka 4-chome, Nakahatara-ku, Kawasaki-shi, Kanagawa 211-8588 Japan  
Telephone: +81-44-754-3034 Facsimile: +81-44-754-3563

**FUJITSU**

**December 3, 2004**

November 16, 2004

September 6, 2004

Tomoyuki Morimoto, Section Manager  
Patent Administration Department  
FUJITSU LIMITED

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3. Copy of the U.S. patent application documents as filed

Ms. Sugiura  
Foreign Application Group Personnel  
Mail: [t.sugiura@lip.fujitsu.com](mailto:t.sugiura@lip.fujitsu.com)

→ Urgent! The statutory period will shortly expire.

2004/12/14 13:23



検索した番号は 143-04-58567-6(一般書留)です

状態 発生日	郵便局名	状態	備考	郵便番号	県名等
12月3日	川崎上小田中	引受		211-0053	神奈川県
12月3日	中原	発送		211-8799	神奈川県
12月4日	登戸	到着		214-8799	神奈川県
12月4日	登戸	ご不在のために持戻り		214-8799	神奈川県
12月12日	登戸	再配達受付		214-8799	神奈川県
12月12日	登戸	差出人に返送	保管期限切れのため	214-8799	神奈川県
12月13日	登戸	発送		214-8799	神奈川県
12月13日	中原	到着		211-8799	神奈川県
12月14日 8:47	中原	差出人に返送済		211-8799	神奈川県

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書留

翌朝10時以降

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## 書留・配達記録郵便物受領証(お客様控)

(差出人の住所氏名) 〒211-8588 川崎市中原区上小田中4-1-1 富士通株式会社 川崎工場 本-0972 特許管理部 森本 様				
受取人の氏名	引受番号	郵便料	申出損害要償額	摘要
窪田 純一 様	143-04-58567-6	¥960		書類
様				
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 ジ(引受時刻証明)、シテ(配達日指定)  
 配達状況がわかります。フリーダイヤル 0120-232886  
 インターネット <http://www.post.japanpost.jp>

加付  
 加三オクナカ 郵便局  
 16.12.03\*12-18

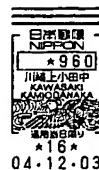
**Tracking Result of No. 143-04-58567-6(Registered Mail)**

Date	Post Office	Status	Note	Postal Code	Place
December 3	Kawasaki, Kamiodanaka	Acceptance		211-0053	Kanagawa
December 3	Nakahara	Dispatch		211-8799	Kanagawa
December 4	Noborito	Arrival		214-8799	Kanagawa
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December 13	Noborito	Dispatch		214-8799	Kanagawa
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Mr. Junichi Kubota	143-04-58567-6	960 yen	---	Document

Kawasaki, Kamiodanaka  
 Post Office  
 December 3, 2004



214-0032 川崎市多摩区柳町3-5-22

インターネット向け紅201

窪田 純一様

郵便物お預かりのお知らせ

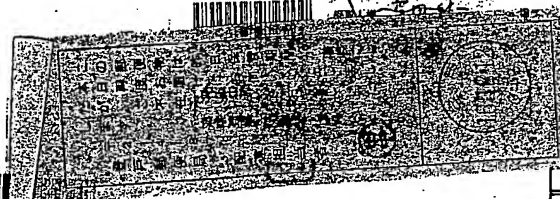
\*お知らせ番号\*

(郵便物貼付用)

20-5179

郵便番号 2140032

A Copy of Returned Mail



14504-85673

FUJITSU

富士通株式会社 川崎工場 本-0472  
〒211-8588 川崎市中区上小田中4-1-1  
jp.fujitsu.com

■ 2004年 / 2月 3日  
■ 特許管理部 森本  
■ (044)754-3035

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Stamp  
960 yen  
December 3,  
2004

214-0032  
3-5-22-201, Masugata, Tama-ku, Kawasaki-shi, Kanagawa  
Mr. Junichi Kubota

The period  
for keeping  
this mail has  
expired.  
The mail is  
returned to  
the sender,  
because of  
the absence  
of the  
recipient.

214-8799  
Noborito  
Post Office

Noborito,  
December  
12, 2004

143-04-58567-6

FUJITSU LIMITED  
211-8588

1-1, Kamikodanaka 4-chome, Nakahara-ku, Kawasaki-shi

December 3, 2004  
Patent Administration Department  
Mr. Morimoto  
(044)754-3034

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